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Attorneys for Defendant
CITY AND COUNTY OF SAN FRANCISCO

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

METRO FUEL LLC, a Delaware limited
liability company,

Plaintiff,

vs.

CITY OF SAN FRANCISCO, a municipal
corporation, COUNTY OF SAN
FRANCISCO, a subdivision of the State
of California, CITY AND COUNTY OF
SAN FRANCISCO, a chartered California
city and county and DOE 1 through DOE
10,

Defendants.

Case No. C07-6067 JSW

**DECLARATION OF GRACE MOORE
IN OPPOSITION TO PLAINTIFF'S
MOTION FOR A PRELIMINARY
INJUNCTION**

Hearing Date: November 14, 2008
Time: 9:00 a.m.
Place: Courtroom 2, 17th
Floor

Trial Date: October 26, 2009

1 I, GRACE MOORE, declare:

2 1. I have personal knowledge of the matters stated herein, except for those matters set
3 forth on information and belief, which I believe to be true, and if called to testify, I can and will
4 testify competently as to all matters set forth herein.

5 2. I am employed as a News Rack Program Coordinator in the Bureau of Street Use and
6 Mapping for the Department of Public Works ("DPW") for the City and County of San Francisco
7 ("the City"). I have held this position since August, 2006. Prior to my current position, I was a
8 Special Assistant in the Bureau of Street Use and Mapping at DPW.

9 3. As a Public Information Officer in the Bureau of Steret Use and Mapping, I am
10 responsible for administering and enforcing Article 5, Section 184.12 of the Public Works Code.

11 4. Part of my responsibilities is to survey and document existing free standing news racks
12 prior to approval and installation of fixed pedestal news racks.

13 5. On May 29, 2007, I took a picture of the various freestanding newsracks at the corner
14 of King and 3rd Streets. A true and correct copy of the picture I took on May 29, 2007, is attached as
15 Exhibit A. This picture is on the top of the page.

16 6. On July 6, 2007, I took a picture of the new Fixed Pedestal Newsracks at the corner of
17 King and 3rd Streets. A true and correct copy of the picture I took on July 6, 2007, is attached as
18 Exhibit A. This picture is on the bottom of the page.

19 7. The new Fixed Pedestal Newsracks are designed to provide a uniformed street-worthy
20 and well maintained alternative to free-standing news racks. Each unit is designed with 6, 8 or 10
21 box spaces.

22 I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and
23 correct to the best of my knowledge.

24 Executed on August 28, 2008

25
26 By: _____/s/_____
27 GRACE MOORE
28

SIGNATURE ATTESTATION

(U.S.D.C. N.D. Cal. General Order 45, Section X.B.)

I obtained the concurrence in the filing of this document from the signatory of this declaration, in compliance with U.S.D.C. N.D. General Order 45, Section X.B.

Dated: August 29, 2008

DENNIS J. HERRERA
City Attorney
KRISTEN A. JENSEN
THOMAS S. LAKRITZ
VICTORIA WONG
Deputy City Attorneys

By: /S/ .
THOMAS S. LAKRITZ

Attorneys for Defendant
CITY AND COUNTY OF SAN FRANCISCO